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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,822	04/04/2002	Patrice Noailles	GRY-106US	5572
23122	7590	02/10/2006	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			DENNISON, JERRY B	
			ART UNIT	PAPER NUMBER
			2143	
DATE MAILED: 02/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/089,822	NOAILLES ET AL.
	Examiner	Art Unit
	J. Bret Dennison	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 November 2005.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Action is in response to Amendment for Application Number 10/089,822 received on 11/16/2005.
2. Claims 1-12 are presented for examination.
3. The prosecution for this case has been transferred to another Examiner.

#### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Examiner is unable to locate where the claimed invention mentions anything about improving the print quality of documents. Examiner only sees remotely downloading information to format and print.

4. The following title is suggested: Remotely Downloading Information for Printing.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 3 recites the limitation "the memo" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros et al (U.S. 5,930,810) and Spector (U.S. 6,024,386).

6. Regarding claims 1, Farros disclosed a process for distributing information contained in a computer database in an easily transportable form, the process comprising the steps of:

breaking down the information contained in the database into units each comprising a predetermined number of symbols (Farros, Fig. 4, 105, 107, 108, 109); transmitting the units through a server (Farros, Fig. 4, 406) and a computer communication network (Farros, Fig. 4, 403) from a medium on which the information is saved (Farros, Fig. 4, 401), to computer equipment connected to a printer (Farros, Fig. 4, 302, 312);

activating the computer equipment and the printer via a sequence of menus (Farros, col. 2, lines 60-61, col. 7, lines 45-60);

to access the units on line, to select the units containing the information in which the user is interested, and to control printing of these units on a printable medium using the printer (Farros, Fig. 4, col. 7, lines 5-40);

the process further comprising a step of loading or downloading a software printing process which includes the steps of formatting each unit of the retrieved information on a single sheet of paper and controlling the printer to print the information (Farros, col. 2, lines 20-35).

Farros also disclosed the use of the printing system to create printed products including greeting cards (Farros, col. 2, lines 32-35).

Farros did not explicitly state formatting each unit of the retrieved information in the form of a four-page booklet and controlling the printer to print the information in the form of the four-page booklet.

It would have been obvious to one of ordinary skill in the art in order to create a greeting card using a local computer would require a sheet of paper to be folded into the proper form of the greeting card.

Since Farros provides a printing system that provides users with the ability to select predefined user modifiable forms, this would give reason for one of ordinary skill in the art to look for different modifiable layouts to use in the system of Farros.

In an analogous art, Spector provides an aroma-generating greeting card in which a sheet of paper is divided into four frames, A, B, C, and D (Spector, col. 2, line

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65 through col. 3, line 10), and is folded to create a four-page booklet (See Spector, Figs. 1, 2) in which a user may modify it for a special occasion (Spector, col. 1, lines 10-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well known layout of a four-page booklet, as shown by Spector, storage of layouts provided by Farros in order to provide users with a larger scale of customizable greetings cards, providing users with a printing system which facilitates the creation of a variety of types of documents and the printing of certain documents locally (Farros, col. 2, lines 15-18).

7. Regarding claim 2, Farros and Spector disclosed the limitations, substantially as claimed, as described in claim 1, including wherein the software printing process includes the steps of:

breaking down the symbols contained in each unit into four frames ordinarily numbered first to fourth following an order of the pages of the booklet (Spector, col. 2, line 65 through col. 3, line 10);

laying out the four frames on a front side of the sheet of paper such that the first and third frames are located on one diagonal of the sheet, and the second and fourth frames are located on an other diagonal of the sheet (See Spector, Figs. 1, 2);

folding the sheet by rotating the second and third frames by 180 degrees from the first and fourth frames (See Spector, Figs. 1, 2),

whereby the user will have a four page booklet (See Spector, Figs. 1, 2).

8. Regarding claim 3, Farros and Spector disclosed the limitations, substantially as claimed, as described in claim 1, including wherein the sheet is rectangular (Spector, col. 2, lines 65-67),

If the memo is in landscape format, the folding step includes the step of folding the printed sheet along a first fold line approximately in a median line parallel to a longer side of the sheet (See Spector, Figs. 1, 2),

whereby after the folding step, the first fold fixes the first and fourth pages as outside pages and the second and third pages as inside pages (See Spector, Figs. 1, 2).

9. Regarding claim 4, Farros and Spector disclosed the limitations, substantially as claimed, as described in claims 1-3. Farros and Spector also disclosed wherein once a product, such as a greetings card, is set up, modifications may be made to it by the user, including text and graphics (Farros, col. 8, lines 50-67).

Farros and Spector did not explicitly state wherein the software printing process also comprises a step of printing advertising messages in predetermined locations, the predetermined locations being arranged at least one of vertically, in the margins of the frames, or in the fourth frame.

However it would have been obvious to one of ordinary skill in the art at the time the invention was made that the users could include advertising messages before

printing the greeting card since they users have the ability to modify the greeting card however they want (Farros, col. 8, lines 50-67).

10. Claims 5-12 include a system and a computer terminal having limitations substantially similar to the limitations in claims 1-4, and are therefore rejected under the same rationale as being substantially similar.

### **Response to Amendment**

Applicant's arguments and amendments filed on 11/16/2005 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *by incorporating new limitations into the independent claims, which will require further search and consideration*) to the claims which significantly affected the scope thereof.

11. Examiner would like to discuss the claimed invention to clarify Examiner's reasoning and interpretations, as amendments have been made that significantly change the scope of the claimed invention. The claimed invention includes the user retrieving data from a server in the form of "units, each comprising a number of predetermined symbols", and the user formatting the units to form a four-page booklet, and printing the sheet of paper.

As explained in the instant Specification, a unit is printed on a front sheet of paper. The units are broken down into symbols, the symbols broken down into four frames in order of the pages of the booklet (see Specification, paragraph 39). A reasonable interpretation of this is the functional equivalence of a print layout. A layout is simply a template that is used to follow certain formats such as a format for a greeting card. The layout of a greetings card includes symbols, such as graphics, text, and backgrounds, which are placed in certain frames of the layout.

12. As shown above, the functionality of storing multiple greetings card templates at a server, and allowing users to select templates to download and format for printing was well known in the art at the time the invention was made (See Farros, Fig. 4, col. 2, lines 20-40).

As also shown above, the idea of a four-page booklet from a single sheet of paper, to use as a greeting card, was well known in the art at the time the invention was made (See Spector, Figs. 1, 2, A sheet of paper is divided into four frames, A, B, C, and D). As shown in Spector, this is a common layout for greetings cards.

Since the four page booklet was a well known template used for greetings cards, as shown by Spector, it would have been obvious for one of ordinary skill in the art at the time the invention was made to provide the four-page booklet layout of Spector by the printing system of Farros to provide users with multiple layouts to create greetings cards.

Examiner would also like to point out that it is within the knowledge of one in the ordinary skill in the art to fold a piece of paper. It is also within the knowledge of one in

the ordinary skill in the art to obtain information from a server and print the information out in a format desired by the user.

It is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art.

Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

### ***Conclusion***

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571) 272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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